



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

GOERLITZER, et al

Examiner: PAVIFLIANITI, Anthony J.

Application No.: **10/789,019**

Art Unit: 1626

Filed: **February 27, 2004**

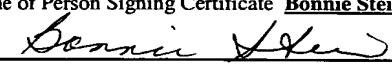
Title: **Diarylcycloalkyl derivatives, process for
their preparation and their use as pharmaceuticals**

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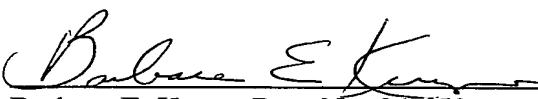
**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
FOR WHICH THE FEE SPECIFIED UNDER 37 C.F.R. 1.97(c) IS REQUIRED**

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Enclosed is an Information Disclosure Statement for which the fee specified in 37 C.F.R. 1.97(c) is required.

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Respectfully submitted,


Barbara E. Kurys, Reg. No. 34,650
Attorney/Agent for Applicant

Aventis Pharmaceuticals Inc.
Patent Department
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Aventis Docket No. DEAV2003/0017US NP



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Examiner: PAVIGLIANITI, Anthony J.

Application No.: **10/789,019**

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Date of Deposit
Bonnie Stein *Bonnie Stein*
Signature

Title: **Diarylcycloalkyl derivatives, process for their preparation and their use as pharmaceuticals**

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. 1.56, 1.97 AND 1.98

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Applicants submit herewith patents, publications, and other information of which they are aware, which they believe may be material, as defined in 37 C.F.R. 1.56(b), to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 C.F.R. 1.56(a). While the information referred to in this Information Disclosure Statement may be material pursuant to 37 C.F.R. 1.56(b), the filing of this Information Disclosure Statement is not intended to, pursuant to 37 C.F.R. 1.97(h), constitute an admission that any patent, publication or other information referred to is, or is considered to be, material to the patentability of this invention. Pursuant to 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information exists.

- (a) This Information Disclosure Statement is filed within the period set forth in §1.97(b) because it accompanies the new patent application submitted herewith, is filed within three months of the filing date of a national application or within three months of the date of entry of the national stage as set forth in §1.491 in an international application, or is believed to be filed before the mailing date of a first Office Action on the merits, whichever event occurs last. However, in the event that the first office action has been mailed, the Commissioner is authorized to charge any fees under 37 C.F.R. 1.17(p) or credit any overpayment to Account No. **18-1982**.

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- (b) This Information Disclosure Statement is filed after the period set forth in 37 C.F.R. 1.97(b), but is believed to be filed before the mailing date of a final action under §1.113 or a notice of allowance under §1.311, whichever occurs first.
- (1) The undersigned attorney certifies that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement;
- (2) The undersigned attorney certifies that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned attorney after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this statement; or
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Based on the new USPTO procedures, it is not required to submit copies of U.S. patents and U.S. publication for all applications filed after June 30, 2003. Therefore, a copy of the nine (9) U.S. Patent documents listed on the attached PTO-1449 form are not enclosed with this Information Disclosure Statement.

Respectfully submitted,



Barbara E. Kurys, Reg. No. 34,650
Attorney/Agent for Applicant

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Aventis Docket No. DEAV2003/0017US NP



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Substitute for form 1449A/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Application Number	10/789,019
				Filing Date	02-27-2004
				First Named Inventor	GOERLITZER
				Group Art Unit	1626
				Examiner Name	PAVIGLIANITI, Anthony Joseph
Sheet	1	of	7	Attorney Docket Number	DEAV2003/0017 - US - NP

U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Office ³	Number ⁴	Kind Code ⁵ (if known)			
		EP	0 462 884 A1		VINCENT et al	12-27-2001	
		EP	1 354 879 A1		TAJIMA et al	10-22-2003	
		WO	00/40569		HODSON et al	07-13-2000	
		WO	00/63208		DORWALD et al	10-26-2000	
		WO	00/64888		JAYOSSI	11-02-2000	
		WO	00/66585		HORVATH	11-09-2000	
		WO	00/71549		BROUGH et al	11-30-2000	
		WO	00/78312 A1		SAHOO et al	12-28-2000	
		WO	01/04146 A2		OLSEN et al	01-18-2001	
		WO	01/09111 A1		BRINER et al	02-08-2001	

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¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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		Office ³	Number ⁴	Kind Code ⁵ (if known)				
		WO	01/21602 A1		CHENG et al	03-29-2001		
		WO	01/40169 A1		HALLGREN et al	06-07-2001		
		WO	01/40171 A1		BOJJE et al	06-07-2001		
		WO	01/72290 A2		DEMUTH et al	10-04-2001		
		WO	01/81327 A1		OONODA et al	11-01-2001		
		WO	01/83451		IKUTA et al	11-08-2001		
		WO	01/85695 A1		LI et al	11-15-2001		
		WO	01/91752 A1		BAKSHI et al	12-06-2001		
		WO	01/94300		DEFOSSA	12-13-2001		
		WO	02/051820 A1		TAJIMA et al	07-04-2002		

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		Office ³	Number ⁴			
		WO	02/096864	DEFOSSA	12-05-2002	
		WO	02/38541 A1	FUKUSHIMA et al	05-16-2002	
		WO	02/50027	GLOMBIK	06-27-2002	
		WO	03/040174 A2	DEMUTH et al	05-15-2003	
		WO	03/084922	DEFOSSA	10-16-2003	
		WO	03/084923	DEFOSSA	10-16-2003	
		WO	03/104188	SCHOENAFINGER	12-18-2003	
		WO	94/18183	BRIEADDY et al	08-18-1994	
		WO	94/18184	BRIEADDY et al	8-18-1994	
		WO	96/38428	MAEDA et al	12-05-1996	

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		WO	97/26265		NIELSEN et al	07-24-1997		
		WO	97/41097		LOHRAY et al	11-06-1997		
		WO	98/08871		KNUDSEN et al	03-05-1998		
		WO	98/19998		VILLHAUER	05-14-1998		
		WO	99/03861		NIELSEN et al	01-28-1999		
		WO	99/15525		BRODIN et al	04-01-1999		
		WO	99/61431		DEMUTH et al	12-02-1999		
		WO	99/62871		ANDERSSON et al	12-09-1999		
		WO	99/62872		ANDERSSON	12-09-1999		
		WO	99/67278		DEMUTH et al	12-29-1999		

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Application Number	10/789,019
Sheet	6	of	7	Filing Date	02-27-2004
				First Named Inventor	GOERLITZER
				Group Art Unit	1626
				Examiner Name	PAVIGLIANITI, Anthony Joseph
				Attorney Docket Number	DEAV2003/0017 - US - NP

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		T ²
		ASAKAWA A et al., Cocaine-Amphetamine-Regulated Transcript Influences Energy Metabolism Anxiety and Gastric Emptying in Mice, Hormone and Metabolic Research; Vol. 33(9); 2001; pp 554-558		
		BERGER Joel et al., The Mechanisms of Action of PPARs, Annul. Rev. Med.; Vol. 53; 2002; pp 409-435		
		FRUCHART Jean-Charles et al., PPARs, Metabolic Disease and Atherosclerosis, Pharmacological Research; Vol. 44, No. 5; 2001 pp 345-352		
		KERSTEN Sander et al., Roles of PPARs in Health and Disease, Nature; Vol. 405; May 25, 2000; pp 421-424		
		KLIEWER Steven A et al., Peroxisome Proliferator-Activated Receptors: From Genes to Physiology, Recent Prog. Horm Res.; Vol. 56; 2001; pp 239-263		
		LEE Daniel W et al., Leptin agonists as a potential approach to the treatment of obesity, Drugs of the Future; Vol. 26(9); 2001; pp 873-881		
		MOTOJIMA Kiyoto, Peroxisome Proliferator-Activated Receptor (PPAR): Structure, Mechanisms of Activation and Diverse Functions, Cell Structure and Function; Vol. 18; 1993; pp 267-277		
		OKADA Hiroshi et al., Synthesis and Antitumor Activities of Prodrugs of Benzoylphenylureas, Chem. Pharm. Bull.; Vol. 42(1); 1994; pp 57-61		
		PINEDA TORRA Ines et al., Peroxisome Proliferator-activated Receptors: from Transcriptional Control to Clinical Practice, Curr. Opin. Lipidol; Vol. 12; 2001; pp 245-254		
		PINEDA TORRA Ines et al., Peroxisome proliferator-activated receptor alpha in metabolic disease, inflammation, atherosclerosis and aging, Curr. Opin. Lipidol; Vol. 10; 1999; pp 151-159		

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(use as many sheets as necessary)				Attorney Docket Number	DEAV2003/0017 - US - NP
Sheet	7	of	7		

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

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